

REMARKS

Entry of this amendment and reconsideration of this application, as amended, is respectfully requested.

The indication of allowable subject matter is gratefully acknowledged.

The undersigned gratefully acknowledges the courtesies extended during the telephone interview of September 7, 2004. During the interview, the Examiner clarified several §112 issues, and the issues were addressed in the amendment filed September 7th.

It is believed that claim 24, as amended, overcomes the §112, second paragraph rejection.

Claims 24, 26-33, 35-39, 43 and 44 were rejected under 35 USC §102(b) as allegedly anticipated by Wood. Applicants respectfully traverse.

Wood discloses "expanding core" shown in Figs. 3 and 4 which is made of "any suitable metal hard enough to cut the lead alloy of which body 2 of the bullet is formed...". (Page 2, lines 42-45). Body 2 is preferably made of tough lead alloy (Page 2, line 11). Head 1 of the bullet is made, e.g., of lead or lead alloy. It is respectfully submitted that Wood does not disclose a soft core having a cavity therein to receive the penetrating core.

In Wood, expansion core 4 is inserted between the penetrator and the expansion core 4, which holds together the penetrator, the hard core 1 and the projectile core, the soft core 2, and is also configured that the disintegration performance of the two cores is influenced.

The embodiment in Figure 18 of Wood differs from the subject of the invention in that the hard core 17 and the soft core 21 are form-locked together. The hard core 17 has a conical extension 18 with a back-hook 19 whose shoulders 20 have been encased by the metal of the soft core 21. The result is that the hard and soft cores are joined inseparably together, and after striking the target they are still interlocked together in a deformed state. In embodiments 1 to 17 that is proven by the disintegration of the cores represented in Figures 10 to 13, especially in Figure 12. The additional expansion core 4 holds the hard core 1 and the soft core 2 by means of fingers 12 and back-hook 7, respectively, even after penetration into the target medium. The goal of the Woods invention is the greatest possible deformation of the projectile in the target

body, without separation of the hard and soft cores.

According to the present invention, however, the hard core and the soft projectile core are designated to separate from one another. Issuance from the target body is to be assured with a defined residual size of the projectile. This is also expressed by the term "partial disintegration projectile." Even in the event of elevated resistance in the target body, a reliable outshot is assured due to the low disintegration of the penetrate and the low loss of mass which is its cause (PCT Publication page 2, lines 8 to 12). The soft projectile core remains deformed in the target body.

The differences between the structural nature and the disintegration behavior of Wood's projectiles and the projectiles of the present invention are set forth herein. It is believed that neither of Winter or Pejisa, cited with respect to the obviousness rejections of several claims, do not overcome the deficiencies of Wood.

In view of the foregoing, allowance is respectfully requested.

If any fees are due to enter this amendment or to maintain pendency of this application, authorization is given to charge such fees to deposit amount no. 50-0624.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.



James R. Crawford
Attorney for Applicants
Registration No. 39,155

FULBRIGHT & JAWORSKI, L.L.P.
666 Fifth Avenue
New York, New York 10103
(212) 318-3148
Date: November 18, 2004